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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/732,294	12/08/2000	Alanen Kimmo	367.39383X00	2671

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EXAMINER	
VU, KIEU D	

ART UNIT	PAPER NUMBER
2173	6

DATE MAILED: 12/18/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/732,294	KIMMO ET AL.	
	Examiner	Art Unit	
	Kieu D Vu	2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *05 September 2003*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-14 and 16-19* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-14 and 16-19* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

a)☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
4)☐ Interview Summary (PTO-413) Paper No(s). _____.
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other:

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-14 and 16-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lahtinen et al ("Lahtinen", WO 99/35595) and Grant ("Grant", USP 5854624).

Regarding claims 1 and 14, Lahtinen teaches a portable telecommunication apparatus for requesting the download of respective pages of received information from a remote source comprising (page 1, lines 3-6): means for receiving respective pages of information including encoded information identifying respective links to other pages (page 3, lines 22-28); a display for displaying the received page (telephone 1); and a fixed location input key (input key of telephone 1). Lahtinen does not teach the associating the input key with the linked page such that actuation of the input key during the display period requests the respective linked page for download from the remote source. However, such feature is known in the art as taught by Grant. Grant teaches pocket-size user interface for internet browser terminals which comprises preprogrammed keys to download web page (Fig. 5, col 5, lines 41-67). Grant also teaches the display labeling at predefined position 54. It would have been obvious to one of ordinary skill in the art, having the teaching of Lahtinen and Grant before him at

the time the invention was made, to modify the interface system taught by Lahtinen to include preprogrammed keys taught by Grant with the motivation being to quickly and conveniently browse the Internet.

Regarding claims 2 and 16, Grant teaches that each input key is associated with a linked page (col 5, lines 41-44).

Regarding claim 3, Lahtinen teaches the display period is the duration of the display of the received page (page 2, lines 17-21).

Regarding claim 4, Lahtinen teaches that the input key is a dedicated key (input key of telephone 1).

Regarding claim 5, Lahtinen teaches a group of alphanumeric keys provided for dialing (input key of telephone 1).

Regarding claim 6, Grant teaches the input key is a touch-sensitive area of the display (col 4, lines 33-35).

Regarding claims 7 and 17, Grant teaches a caption indicative of the linked page is provided in close proximity to the input key (col 4, lines 41-49).

Regarding claims 8 and 18, Grant teaches the caption is provided immediately above the input key (area 54 in Fig. 3).

Regarding claims 9 and 19, Grant teaches the remote source is a computer capable of connection to the World Wide Web (WWW) (Fig. 2).

Regarding claim 10, Lahtinen teaches a markup language decoder (page 2, lines 14-19).

Regarding claim 11, Lahtinen teaches the association between the user-operable input means and the link is achieved by a tag (page 3, lines 30-31).

Regarding claim 12, Lahtinen and Grant do not teach that the apparatus is arranged to be mountable in a vehicle. However, Grant teaches the attachment means for attaching keypad to a surface, it would have been obvious to one of ordinary skill in the art, having the teaching of Lahtinen and Grant before him at the time the invention was made, to modify the interface system taught by Lahtinen and Grant to mount the device in a vehicle with the motivation being to enhance the application of the device.

Regarding claim 13, Lahtinen teaches the apparatus is a portable wireless telecommunication apparatus (telephone 1).

3. Applicant's arguments filed 12/08/00 have been fully considered but they are not persuasive.

In response to Applicant's argument that Lahtinen does not have a telecommunication apparatus, Applicant's attention is directed to the abstract of Lahtinen reference where Lahtinen teaches "The present invention relates to a method and system for the browsing of hypertext pages by means of a mobile station in a telecommunication system"

In response to Applicant's argument that in Lahtinen, "there is no counterpart of the means for receiving respective pages of information including encoded information identifying respective links to other pages", Applicant's attention is directed to line 34 of page 2 to line 4 of page 3 where Lahtinen teaches the receiving page (menu format) and information identifying respective links to other pages (link descriptions and specific identification data).

In response to Applicant's argument that in Lahtinen, "there is no counterpart of the claimed processor", it is noted that the limitation "a processor for ...associating the

input key with...a respective link page..." is rejected by using Grant reference since Grant teaches a user interface for internet browser terminals which comprises preprogrammed keys to download web page (Fig. 5; col 5, lines 41-67).

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

In response to Applicant's argument that Grant's preprogrammed keys do not launch functions, Applicant's attention is directed to col 5, lines 41-44.

In response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971).

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

5. Ay inquiry concerning this communication or earlier communications from the examiner should be directed to Kieu D. Vu whose telephone number is (703-605-1232). The examiner can normally be reached on Mon - Thu from 7:00AM to 3:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca, can be reached on (703- 308-3116).

The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

(703)-872-9306

and / or:

(703)-746-5639 (use this FAX #, only after approval by Examiner, for "INFORMAL" or "DRAFT" communication. Examiners may request that a formal paper / amendment be faxed directly to them on occasions)

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703-305-3900).

Kieu D. Vu

12/11/03

JOHN CABECA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100